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*County of San Francisco*



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### ≡ AGENDA

#### CTIONS COMMISSION

#### TEACH AND PARTICIPATION COMMITTEE

Tuesday, June 15, 2004

5:00 P. M.

City Hall, Room 421

Carlton B. Goodlett Place



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Honorable John Trasviña, Chair

Honorable Eric Safire

Honorable Tony Winnicker

Shirley Rodrigues

COMMISSION SECRETARY

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**ELECTIONS COMMISSION**  
*City and County of San Francisco*



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**AGENDA**

**ELECTIONS COMMISSION**

**THE VOTER OUTREACH AND PARTICIPATION COMMITTEE**

Tuesday, June 15, 2004  
5:00 P. M.  
City Hall, Room 421  
1 Dr. Carlton B. Goodlett Place

**COMMISSIONERS**

The Honorable John Trasviña, Chair  
The Honorable Eric Saffire  
The Honorable Tony Winnicker

Shirley Rodriques  
COMMISSION SECRETARY



## **ELECTIONS COMMISSION**

### **THE VOTER OUTREACH AND PARTICIPATION COMMITTEE**

#### **Order of Business:**

1. Call to Order, Flag Salute and Roll Call.
2. Public comment on items appearing or not appearing on the agenda that are within the jurisdiction of the Voter Outreach and Participation Committee.
3. Discussion of the goals of the Committee.
4. Report from the Department of Elections:
  - Geographic areas of low voter turnout
  - Department's current efforts to increase voter participation
  - Opportunities for residents and organizations to assist the Department
  - Department's current efforts to educate residents about Ranked Choice Voting (RCV)
5. Discussion and possible action to select venues and dates for upcoming Elections Commission Meetings in various City communities, particularly those with low voter turnout. The Commission Secretary will give an update of scheduled venues and meeting dates.
6. Public comments on items appearing or not appearing on the agenda that are within the jurisdiction of the Voter Outreach and Participation Committee.

#### **ADJOURNMENT**





### **Disability Access**

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### **Lobbyist Registration and Reporting Requirements**

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## The Elections Commission

June 15, 2004

### Voter Outreach and Participation Committee

#### Elections Commission

June 15, 2004

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1. **CALL TO ORDER:** Chair, John Trasviña called the meeting to order at 5:06pm.

1. **ROLL CALL:** Present were Chair John Trasviña, Commissioner Eric Safire,

Director John Arntz and Deputy City Attorney Julia Moll. Commissioner Winnicker was absent.

3. **Discussion of the goals of the Committee.** Commissioner Safire reminded the Committee that the Commission President had mentioned his concerns about certain districts in the City having a low voter turnout. Mr. Safire said he was interested in having Commission meetings in those areas of the City and invite youth groups, student organizations and community organizations. In addition, he wants to have on the agenda information specific to that neighborhood. These meetings should happen over the next several months at high schools. Commissioner Safire said that the goals would be to stimulate more participation in elections.

Commissioner Trasviña reviewed the Commission's resolution for its program on voter outreach and said that it was an appropriate guide for this Committee to begin its work. Mr. Trasviña asked the Commission Secretary about the status of plans for voter outreach and for holding Commission meetings in City neighborhoods. The Secretary called the Committee's attention to the lists of organizations with whom the DoE's outreach Division has worked in past elections. She explained that DoE staff asks to be placed on agendas of these organizations and once invited, they make presentations at their meetings.

Commissioner Safire asked the Secretary how she was notifying the citizens of the Commission's intent to hold its meeting in their neighborhood. Ms. Rodriques explained that she was working with the DoE Outreach staff to get flyers and information printed to distribute to the centers within two to three weeks before the Commission meetings to be posted on bulletin boards and handed out to attendees at other activities that take place in the centers.

Commissioner Trasviña asked about the lists of community groups on the DoE Outreach Division's list. The Director Arntz explained that these groups request supplies, such as registration cards, and information which the Department provides to them. Groups also request DoE Staff to attend their events and meetings.

Commissioner Trasviña said he was impressed with how many contacts were on the Outreach Division's list and suggested that one role of the Committee could be to help build the list.

Commissioner Trasviña reminded the Committee that the Commission's resolution included exploring the possibility of creating a 501(c)3 foundation. Commissioner Safire asked if it was the intention that the foundation help raise money. Commissioner Trasviña replied that it was, as in "Friends of the Library" or other similar organizations which are originally sponsored by a government agency but are separate. The Chair asked the Deputy City Attorney to provide advice whether this is doable, and if so, how it is done.

Deputy City Attorney Moll said that many City departments have considered the possibility of creating a 501(c)(3) nonprofit organization to raise funds to supplement the department's funding. But few departments pursue this, in part because City-created 501(c)(3)'s must essentially behave as if they are a City department. This means that all funds raised by the entity must be deposited in the General Fund and appropriated by the Mayor and Board according to the procedures set out in the Charter. This also means that the entity is subject to the open meeting and public records laws. Departments typically conclude that it better serves their purposes to propose that the Board of Supervisors create a special fund. Special fund legislation typically authorizes a department to raise and accept money for a particular purpose, and spend the money for that purpose without going through the sometimes cumbersome appropriations process. Ms. Moll offered to provide examples of special funds. There are a number of 501(c)(3)'s that exist solely to support City departments, such as the Friends of the Library and the Asian Art Museum Foundation, but these are privately created and privately run. The City does not control their operation or their expenditures. In rare instances, the City has created 501(c)(3)'s as part of a lease-financing or other arrangement to finance capital projects.

Commissioner Safire asked how the money raised by the foundation is to be used. Commissioner Trasviña said that the primary goal would be to provide services to assist people in learning about elections, registering to vote, etc., and that there were many foundations doing this kind of work on the national level. He asked Deputy City Attorney Moll for what other purposes City foundations have raised money. Ms. Moll stated that the Friends of the Library raised money for staff training and for production and distribution of a newsletter about Library programs and events.

Commissioner Safire said that he would need to identify for what the money was to be used for before he could go and ask people to form an independent non-profit to help raise funds.

Commissioner Trasviña asked the Director if the DoE had ever considered seeking private funds. Mr. Arntz answered that it had not and that it would be difficult to seek outside money because elections are involved. Accepting money from some groups would be uncomfortable.



The Director said that if money was being raised, it should be used to help the Department move into a more appropriate facility where it would have all or most of its activities under one roof at one site. This is not the current case and the fact that everything is spread all over the City is more costly, in time and money. The Department would be able to reach out and provide more services if it could operate more efficiently at one site.

Commissioner Safire agreed that this would be a better way for the Committee to spend its time and resources. He asked the Director to whom the Committee needs to speak to get this started. Director Arntz said that the Mayor's Office is the key. Commissioner Safire asked who is the Department's liaison to the Mayor's Office. Mr. Arntz replied that the Mayor's appointee to the Commission could be that liaison.

Commissioner Safire said that he wants the Committee to report to the Commission at its meeting tomorrow that in exploring voter outreach priorities, the Committee determined that it should first help the Department resolve its space issue, that is to facilitate a single location from which the Department can function.

Commissioner Trasviña asked if the Committee agreed that the work of the voter outreach committee needs to be consistent with needs of the Department and the Department has identified as its top priority the resolution of the space issue. Various City agencies, including the Civil Grand Jury, have examined this issue and reported its findings. However, the issue remains unresolved. Commissioner Safire agreed and asked that this be reported to the full Commission at its next meeting. Commissioner Trasvina asked the Director and the Deputy City Attorney to provide the Committee copies of relevant reports and analyses on the DoE site issue.

**Public Comment** - *Dennis MacKinsey* said the issue of space is also a security issue as well as efficiency.

4. **Report from the Department of Elections: *Geographic areas of low voter turnout*** - Director Arntz presented a chart of areas of low voter turn out and explained that the term "low voter turn out" has not

been defined. He said he used those areas with turnouts below the average for the purposes of his chart. Mr. Arntz suggested that the Committee decide its definition of low voter turnout. He added that San Francisco has the highest percentage of registered voters for a City or County of its size in California. Getting people to turn out may be a better objective than increasing registration.

*Department's current efforts to increase voter participation -*

Director Arntz reminded the Committee that the Department contacts community organizations and attends meetings when invited. Registration cards are sent, when requested, and the DoE does follow up on the cards to see if they were used. Cards are sent to all the libraries and post offices.

*Opportunities for residents and organizations to assist the*

*Department* - There is a High School Poll Worker recruitment program in all the schools from which up to one thousand students are recruited to work during an election. These students are motivated and have become the DoE's most reliable source for poll workers. A large percentage of the bilingual poll workers come from these students. Director Arntz said that opportunities for organizations to help the DoE are in registration, elections awareness and recruiting poll workers. He said it would be great if organizations took ownership of polling places, such as providing their building as a polling site and their members as workers.

Commissioner Trasviña asked the Director about implementation of a new state law registering high school students to vote at graduation ceremonies. Mr. Arntz replied that the cards are being sent to the schools by the state.

*Department's current efforts to educate residents about*

*Ranked Choice Voting (RCV)* - Director Arntz will give an update at the full Commission meeting being held June 16, 2004.

Commissioner Trasviña reported that the Commission's Community Meetings will occur on the third Wednesdays of each month until the November election.

5. Discussion and possible action to select venues and dates for upcoming Elections Commission Meetings in various City communities, particularly those with low voter turnout. The Commission Secretary will give an update of scheduled venues and meeting dates. Ms. Rodriques reported the following dates and locations: July 21 at SOMA Recreation Center, 270 - 6<sup>th</sup> Street (District 6); August 18 at Horace Mann Middle School, 3351 - 23<sup>rd</sup> Street (District 9); September 15 at a location in District 11 to be identified with the help of Supervisor Sandoval's office; October 6 at South East Community Center, 1800 Oakdale Avenue (District 10).

**Announcement of next meeting:** The Voter Outreach and Participation Committee will meet Tuesday, July 20, 2004 at 5:00 pm in City Hall Room 421.

**ADJOURNMENT at 6:00 pm.**



**ELECTIONS COMMISSION**  
*City and County of San Francisco*



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**ELECTIONS COMMISSION**

**THE VOTER OUTREACH AND PARTICIPATION COMMITTEE**

04  
Tuesday, July 20, 2004  
5:00 P. M.  
City Hall, Room 421  
1 Dr. Carlton B. Goodlett Place

**COMMISSIONERS**

The Honorable John Trasviña, Chair  
The Honorable Eric Safire

Shirley Rodriques  
COMMISSION SECRETARY



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**ELECTIONS COMMISSION**  
**THE VOTER OUTREACH AND PARTICIPATION COMMITTEE**

**July 20, 2004**

**Order of Business:**

1. Call to Order, Flag Salute and Roll Call.
2. Public comment on items appearing or not appearing on the agenda that are within the jurisdiction of the Voter Outreach and Participation Committee.
3. Discussion and possible recommendation that Commissioner Arnold Townsend become the liaison between the DoE and the Mayor for the consolidation of DoE offices and necessary activities into one location.
4. Report from the Department of Elections:
  - Ranked Choice Voting outreach and education programs.
  - Opportunities for residents and organizations to assist the Department in outreach and education.
5. Public comments on items appearing or not appearing on the agenda that are within the jurisdiction of the Voter Outreach and Participation Committee.

**ADJOURNMENT**



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# REPORT

ON THE

PROGRESS OF THE

WORK DURING THE

PAST YEAR

AND THE

PROSPECTS FOR THE

FUTURE

BY

THE

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OF THE

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## The Elections Commission

July 20, 2004

DRAFT

Voter Outreach and Participation Committee

Elections Commission

July 20, 2004

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1. **CALL TO ORDER:** Chair, John Trasviña, called the meeting to order at 5:30

pm.

1. **ROLL CALL:** Present were Commissioner Eric Safire, Commissioner John

Trasviña, Director John Arntz and Deputy City Attorney Julia Moll, and in the audience was Commission President Arnold Townsend.

3. Commissioner John Trasviña summarized the presentation made prior to the meeting being called to order. The Commission Secretary's notes of the presentation are appended to these minutes.

4. Discussion and possible recommendation that Commissioner Arnold Townsend become the liaison between the DoE and the Mayor for the consolidation of the DoE offices and necessary

activities into one location.

Commissioner Townsend explained that the Commission is requesting a permanent site, away from City Hall, because the location needs to be capable of housing all the current off-site locations of the DoE, and handling all the everyday activities necessary for elections as well as the increased activities that accompany election time.

Commissioner Safire explained that he felt the Commissioner should ask the Mayor's office what would be required for the Commission to make a proposal.

Commissioner Townsend said that he would do this and asked the director how much square footage was needed. Mr. Arntz responded that the Department needs 60,000 square feet. Commissioner Townsend suggested that it would expedite the search if the department and the Commission helped in the search for real estate properties.

Commissioner Trasviña said that he had read the Grand Jury Report and he asked the Director what has been the response since the report. Mr. Arntz said that the response has been that there is no money. Mr. Arntz said that the Department had identified several locations and that when a site was presented to the Real Estate Office, he was told that there was no money. He said that he was told that if the DoE could show a "zero" cost for the move by consolidating all the locations into one location, then that would be the case to allow the move. However, he said, the Department can't show a "zero" cost because this depends on the lease. There would be a lot of cost savings, but there are also many savings that are intangible, for example, the security of the ballots, which are now in three locations.

Commissioner Townsend suggested that the Commission may need to be more proactive with the Mayor's Office to get their support beyond the fiscal issues. He said that this is where the Grand Jury can help.

Commissioner Trasviña asked the Deputy City Attorney what the

Commission needs to do procedurally to lobby the Mayor and the Board of Supervisors for a single location for the DoE.

Ms. Moll said that individual Commissioners who have relationships with the Mayor or members of the Board of Supervisors are free to go individually or in groups, as long as there is no quorum of the Commission or one of its Committees. She suggested that the Commission ask the Director, since he's had experience with the Real Estate Office, where is the best place to start.

Commissioner asked if the Commission is on record supporting the proposal for a single location for the Department of Elections. Commissioner Townsend said that the Commission is on record in support of this request.

Commissioner Trasviña asked the Director if the portion of the Grand Jury Report of 2003 was still correct about the DoE needing to vacate Pier 29 by the spring of 2004. Mr. Arntz said that the DoE is still at Pier 29 because the Mills Project has been stalled, but the move will need to take place because the Department is on borrowed time. Commissioner Trasviña asked if the move would happen before the November 2004 election. Mr. Arntz replied that the move would not happen before that time.

**Public Comment:** *Dennis MacKenzie* said that he had provided a letter to the Committee which mentions the suggestion of a non-profit organization to help raise funds for the new site.

Commissioner Townsend suggested that the Commission take up one of the suggestions of creating a "Friends of the Department, non-profit entity" that was mentioned at the March meeting regarding ways to improve voter turnout. Commissioner Safire reminded the Commissioner that it had been decided, after discussions with the Director, to concentrate first on putting the Department under one roof before attempting to start any other programs because a central location from which to operate was necessary.

Commissioner Townsend said that the "Friends" would operate outside the Department and outside the Commission.

Ms. Moll reminded the members that during the discussion on this topic at a previous meeting it had been determined that any monies raised by a private non-profit would not be earmarked for the Department, but would go into the City's General Fund. This was one of the main reasons the topic was abandoned.

ADJOURNMENT at 6:00 pm

#### APPENDIX:

#### Notes From Presentation by Department of Elections Regarding Voter Outreach.

Charles McNulty, Page Rockwell, Dennis MacKenzie identified themselves from the audience.

Dennis MacKenzie presented a letter to the Commissioners re: voter outreach and asked that someone from the Commission contact him regarding the contents of his letter soon.

Report from the Department of Elections:

Page Rockwell reported that the DoE continues to make ranked choice



voting presentations to the community and contact community based organizations to get their assistance in making similar presentations. One of the purposes of the Department's presentations is to educate the community-based organizations to whom the DoE will be awarding grants. Grant recipients will use the information to help the DoE educate voters. The grant for ethnic media outreach has been awarded to New California Media. The first Spanish presentation of the educational materials is targeted for August 4 and the first Chinese presentation will be July 28<sup>th</sup> - both will be on Wednesdays, in City Hall room 416 at 10:00 am.

The Department's informational materials will be made available also to libraries and will include a tri-fold flyer and a demonstration ballot. In addition, there will be posters regarding RCV in post offices and kiosks. Other languages in which the Department hopes to have materials translated are Tagalog, Russian and Vietnamese. There will be a city-wide mailing to every registered voter in September.

In August, there will be a dedicated RCV Website with interactive capabilities in addition to the Department's site.

The awarding of grants to community-based organizations is proceeding and the contracts will be finalized soon. It is planned that these organizations will keep a running count of the number of people to whom they make their presentations.

Director John Arntz reported that the Ballot Simplification Committee began looking at the RCV materials in order to give its insight today. He reported that the BSC now has three confirmed members but was hoping to get a fourth member.

Letter from Dennis G. MacKenzie

July 20, 2004

Honorable Arnold Townsend, President, and

Election Commission Members:

Honorable Robert Kenealey

Honorable Gerard Gleason

Honorable Michael Mendelson

Honorable John Trasvina

Honorable Eric Safire

San Francisco Election Commission

City and County of San Francisco

City Hall, Room 421

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

Re: Budget and Policy Committee, July 20, 2004 / Agenda item #5;  
Update of the budget process and progress of items passed by the Commission  
and recommended to the Board of Supervisors.

Dear Commissioners,

I appreciate the opportunity to share several thoughts regarding potential  
methods to maximize the use of General Fund money of the City and County of  
San Francisco, in relation to the budget of the Department of Elections.

In the June 15, 2004 'Voter Outreach and Participation Committee', it was  
suggested by Commissioners that one specific focus should be to consolidate the



offices of the Department of Elections, in order to increase efficiency and reduce the departments' budget. As I mentioned in that meeting during Public Comment (Item #3 / Discussion of the goals of the Committee), I believe that consolidation of the department's operations would not only create a more efficient use of space and monetary savings, it could increase and improve the essential security issues in handling thousands of ballots throughout the city during the entire elections cycle process as well.

Also, I believe this fundamental issue of housing most of the department's operations under one roof can serve to develop a comprehensive educational component, capable of addressing the citizens numerous requests to expand voter outreach and education, and increase voter turnout. As the Department of Elections pursues this attempt to find a suitable location and facility, I respectfully request that Elections Director John Arntz, the Elections Commission, Mayor Gavin Newsom and all members of the San Francisco Board of Supervisors, support the concept of creating a small educational space within this new facility that can house an Elections Education and Voter Outreach Classroom, that can function on a Year-Round basis; including the capacity to serve as a Poll Worker Job Training & Career Guidance Center.

This classroom can coordinate the necessary education of our San Francisco high school and college age students, as well as seniors, Youth Guidance Center juvenile justice system youth, and other at-risk-youth organizations. I believe all of our Public Service Agencies, Departments, elected and appointed officials, as well as our private sector business and non-profit foundations leaders, need to assist in providing far-sighted, comprehensive educational programs. Through coordination with our High School, Community College and University systems, more efficient and effective ways to instill within our youth, the importance of becoming involved in our elections process can be developed through city wide, cooperative and coordinated programs; public and private sector leaders can help our cross-cultural and diverse population of young people in their need to understand how to make positive, creative, and constructive change through our democratic process.

Through developing a practical understanding through first hand experience, and face-to-face communication with our public service officials, our students and citizens can learn how important it is to elect honest, intelligent leaders that they can trust and believe will deal effectively and successfully with all the challenges that our city – and our Nation - faces today. As we continue to struggle with our current inability to deal effectively with the violence and lack of jobs for many youth and citizens of San Francisco, I believe it's the responsibility of all our public and private sector officials to create innovative, long range plans and strategies that can inspire and instill the self-discipline and confidence necessary for all students to understand and develop - in order to become mature and socially responsible, contributing citizens.

Once again, thank you Commissioners for your time; and I look forward to hearing from you at your earliest convenience, and working for the City and County of San Francisco in the most beneficial capacity possible.

Sincerely,

Dennis G. MacKenzie

CC:

Ms. Shirley Rodriguez, Secretary, San Francisco Elections Commission

Mr. John Arntz, Director, San Francisco Department of Elections

Ms. Julia Moll, Deputy City Attorney, City and County of San Francisco

Honorable Gavin Newsom, Mayor, City and County of San Francisco

Honorable Matt Gonzalez, President, San Francisco Board of Supervisors, and Members

C/o Ms. Gloria Young, Clerk of the Board, San Francisco Board of Supervisors



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## The Elections Commission

August 17, 2004 - CANCELLED

The Voter Outreach and Participation Committee

has cancelled its Tuesday, August 17, 2004 meeting.

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**AGENDA**

**ELECTIONS COMMISSION**

**THE VOTER OUTREACH AND PARTICIPATION COMMITTEE**

Tuesday, September 14, 2004

5:00 P. M.

City Hall, Room 421

1 Dr. Carlton B. Goodlett Place

**COMMISSIONERS**

The Honorable John Trasviña, Chair  
The Honorable Eric Safire

Shirley Rodriques  
COMMISSION SECRETARY





## **ELECTIONS COMMISSION**

### **THE VOTER OUTREACH AND PARTICIPATION COMMITTEE**

**September 14, 2004**

#### **Order of Business:**

1. Call to Order, Flag Salute and Roll Call.
2. Public comment on items appearing or not appearing on the agenda that are within the jurisdiction of the Voter Outreach and Participation Committee.
3. Discussion regarding past role or presence, if any, of police department officials in or near polling places on Election Day. Chief Deputy Vickie Hennessy from the Sheriff's Department and Commander Mike Puccinelli from the San Francisco Police Department will be available to answer questions.
4. Discussion regarding the recall process for local elected officials, and possible action to recommend changes to the laws governing the recall process for local elected officials.
5. Discussion and possible action to approve the Voter Outreach and Participation Committee minutes for July 20, 2004.
6. Public comments on items appearing or not appearing on the agenda that are within the jurisdiction of the Voter Outreach and Participation Committee.

#### **ADJOURNMENT**



## **Disability Access**

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Donna Hall, Clerk, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: Donna\_Hall@ci.sf.ca.us. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

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## The Elections Commission

September 14, 2004

DRAFT

Voter Outreach and Participation Committee

Elections Commission

September 14, 2004

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1. **CALL TO ORDER:** Chair, John Trasviña called the meeting to order at 5:15 pm.

1. **ROLL CALL:** Present were Commissioner Eric Safire, Commissioner John

Trasviña, Commissioner Sheila Chung, Director John Arntz and Deputy City Attorney Julia Moll.

3. **FLAG SALUTE**

4. Discussion regarding past role or presence, if any, of police department officials in or near polling places on Election Day. Chief Deputy Vickie Hennessy from the Sheriff's Department and Commander Mike Puccinelli from the San Francisco Police Department were available to answer questions.



Willie Ratcliff gave a presentation of his concerns. He said that there was police profiling and intimidation of citizens in the Bayview Hunter's Point area during Election Day which disenfranchises many voters.

Commissioner Trasviña asked Mr. Ratcliff to give the Committee any examples of the police intimidation of which he spoke. Mr. Ratcliff stated that the police "hang around the polling places and pull people's cars on Election Day and the day before."

Commissioner Safire made a recommendation that the Committee recommend to the Commission that it write a letter to the Chief of Police recommending that laws be enforced equally on Election Day as is done on any other day, and that the police not increase any enforcement of parking violations around polling places in District 10. Commissioner Chung SECONDED.

Commissioner Trasviña asked Mr. Ratcliff if his complaints extended beyond the complaint of parking enforcement. Mr. Ratcliff said that wreckers are lined up to tow cars on Election Day and that the citizens of the Bayview don't have the money to get their cars out of impound because they do not have jobs. Mr. Ratcliff added that there are many citizens in the district who are ex-prisoners and are also disenfranchised by law.

Chairperson Trasviña reminded Mr. Ratcliff that the subject of the meeting was police presence at or near the polling sites on Election Day.

Mr. Ratcliff said his complaint was that there is heavy police presence, that citizens' cars are being impounded and that this amounts to voter intimidation.

Commissioner Safire asked Mr. Ratcliff if his statement was "On Election Day there's an uneven enforcement of the law that disenfranchises the Black population from going to the polls to vote."

Mr. Ratcliff said that the only thing he would add to this statement is that this activity also goes on the day before Elections Day. He said that if the Commission could stop this type of activity by the police, or any planned operation or hassling of citizens around polling sites, it would make a lot of difference and that citizens would have more respect for the police force.

Chairperson Trasviña asked Commander Mike Puccinelli if Mr. Ratcliff's perception was correct, and if he could check to find out if on and around the elections of 2003 and 2004 there was an increase of police activity near polling places. Commander Puccinelli said that he wouldn't need to check because he was the Police Captain in that district during those elections. Capt. Puccinelli stated that there was no increased enforcement but that this fact will not change Mr. Ratcliff's perception. The Captain explained that in the Bayview Police Station there is a "14601" program in which citizens whose cars are not registered have their cars towed. This, the Captain said, is probably what Mr. Ratcliff is referring to when he says he has seen tow trucks lined up at the police station. Capt. Puccinelli said that these trucks have nothing to do with Election Day.

Captain Puccinelli said that he recalls that the police responded to several polling sites during the last election because Director Arntz requested that the police respond to complaints that someone was intimidating voters. Two sergeants were dispatched to check each polling site in the area to ensure that no intimidation was occurring. After the sergeants made their rounds and reported back to the Captain, he called Director Arntz and reported what had been done and that no intimidation was observed. The Captain stated that during the two years that he was assigned to the district, there was no special enforcement during and around Election Day.

Commissioner Chung asked if the "14601" was applied equally in all districts. Capt. Puccinelli replied that it was. The Commissioner asked how often is the enforcement implemented. Capt. Puccinelli replied that this is a question for the current Captain, but that while he was in charge it was implemented approximately every 6 weeks. He added that this goes on in every district throughout the City.

Commissioner Chung asked if police officers were given any special training regarding the legal issues surrounding Election Day, such as electioneering. Capt. Puccinelli said that usually a bulletin goes out before elections advising officers of electioneering laws, and they are given a list of the locations where the polls will be so that the officers know that voting is happening there. Regarding double parking, the Captain said that he had often observed cars double-parked near polling sites while voters were voting and that these cars were not ticketed. He said that basically, the police only respond when they are called.

Commissioner Safire asked if it were true that the officers were made aware of the laws regarding electioneering but do not enforce these laws unless there is a complaint and that these complaints usually come from workers at the polls or competing factions of candidates. Captain Puccinelli responded affirmatively.

Director John Arntz added that it is usually the Field Election Deputy (FED) who responds first to complaints of electioneering. If the FED cannot resolve the situation, the police are called.

Chairperson Trasviña said that he would support the motion to ask the Commission to send a letter to the Chief of Police, and the letter should ask that planned non-emergency police activities be decreased on the day before and on Election Day be conducted earlier or later as the need required.

Commissioner Chung suggested that the police in the various districts of the City should explain what their activity will be around polling places to citizens at the district meetings that occur between police and citizens.

Captain Puccinelli reminded the Committee that if an officer happens to see a vehicle that has no or an expired registration during the course of his/her work, the officer is required to cite that car. He said the police cannot stop their enforcement just because it is Elections Day.

Commissioner Safire suggested that perhaps something could be included within the Police Departmental General Orders.

The MOTION CARRIED.

Chairperson Trasviña thanked Captain Puccinelli and members of the public for their assistance and participation.

**5. Discussion regarding the recall process for local elected officials, and possible action to recommend changes to the laws governing the recall process for local elected officials.**

Commissioner Eric Safire stated that the Committee does not have jurisdiction to determine what is the appropriate process for recall of elected officials for the City. He said that he understood that the Commission's jurisdiction was to make recommendations to legislative bodies on specific issues, if that additional legislation is needed. However, to amend the entire process would be outside the jurisdiction of the Commission.

Chairperson Trasviña said that the Commission has discussed this issue before, heard public testimony and referred this matter, within its jurisdiction, to this committee. The Committee may want to recommend changes in the laws regarding the recall process and that this would be within the Commission's jurisdiction. He explained that the Committee would hear testimony on the application of the laws regarding the recall process. He also said that the Committee would be looking to see if the process could be improved upon.

Commissioner Safire said that this would be a "dramatic undertaking" if the DoE is trying to implement Ranked Choice Voting (RCV) in time for the November election.

Chairperson Trasviña said that this is why he was attempting to streamline the issues.



Commissioner Safire made the MOTION that this item be TABLED until after the November election, so that Director Arntz and the Department can focus on the important issue of implementing RCV. He added that to focus on amending the recall laws would put an undue burden on the Department.

Chairperson Trasviña asked for a SECOND to Commissioner Safire's motion. There was NO SECOND.

*Kevyn Lutton* gave a report of her experience in the attempt by the South East Sector of District 10 to recall their Supervisor and her perception of the obstacles in place at the Department of Elections that frustrated those efforts. Her complaints included: delayed approval of wording and form of the petition; circulator form caused signatures to be invalidated; delay in setting a deadline for submission of petitions; information file not current; unsafe voter file viewing; failure by the DoE and the Mayor to follow the meaning of the petition as written and approved; the DoE's determination that the number of valid signatures was insufficient.

Commissioner Safire asked Ms. Lutton which of her list of complaints were related to the day-to-day operation of the Department and to laws. Ms. Lutton responded that she was given a handbook and was told that some of the regulations came from the City Charter, some from the state and some are ordinances. She said that she "didn't bother to go investigate."

*Willie Ratcliff* said that the Commission should bring the issue of filling a vacancy after a recall before the Board of Supervisors and that Supervisors were interested in receiving the Commission's recommendation. He said that because the citizens create a vacancy by a successful recall, the citizens should decide who fills that vacancy. The Mayor should not make that decision.

*Ulysses J. Montgomery* said regulations for the recall should be clear, concise and correct. He said citizens have the right to remove their representative whenever they see fit and replace that representative with someone elected by the people.



*Helen Jones* said she lives in the Fillmore District and has seen citizens forced out of their homes there and she believes the same thing is happening in the Bayview.

She said she was outraged that so many of the signatures were found invalid and she asked if they could be checked again.

*David Pilpel* said guides for the DoE should be updated not just prior to elections but immediately when laws change. He asked that the DoE give Ms. Lutton a detailed written response to her concerns, and if necessary, this can be done after the November election.

Chairperson Trasviña asked Director Arntz for his comments on the issues raised by Kevyn Lutton. Director Arntz replied that the recall guide is being reviewed by the City Attorney's Office; the DoE must certify and clear all recall petitions as being accurate - this is not the process for other petitions; there will be a check list in the new recall guide; office procedures for recall petitions are being implemented which will cover questions of the petitioners and what the DoE staff is expected to do, and how long it will take for a response to a recall question. Mr. Arntz said these improvements will be instituted shortly.

Commissioner Chung asked if comments from the public about the new handbook would be considered before publishing it. Mr. Arntz said that the information would be on the Department's website and that comments from the public were welcomed.

Chairperson Trasviña said that it was his understanding that the proponents of this petition submitted their petitions on May 5<sup>th</sup> and the Department approved the petition on May 14<sup>th</sup>, and asked the Director if this was a typical amount of time. Director Arntz responded that the DoE usually needs four days for the review to determine if the number of signatures is sufficient.

Chairperson Trasviña asked for the source for rule that the address next to a signature has to match the voter's address on his/her registration form. Director Arntz answered that this is a state law. The state code

also covers the concern that the handwriting for the address be the same as the handwriting for the signature. The San Francisco Department of Elections has no discretion on these matters. Mr. Trasviña said that this kind of information should be also given in the recall petition guide.

Chairperson Trasviña asked how often is the DoE's voter information data base updated. Director Arntz answered that the production data base is updated daily, and that there is never going to be a CD that will match exactly what is in the data base. Normally, there are three times by law when the CD is produced for the public: 120 days, 60 days, and 29 days before an election. However, the Department does provide updated CDs at other times of the year for the public.

Chairperson Trasviña asked if it would be more costly to produce the CDs more often. Director Arntz said it would be more costly because it would be more wasteful of staff time and resources because it is not known when citizens might want the CDs. The Department keeps several at the front counter for the public to purchase if that member of the public has the proper identification and reason per the code.

Director Arntz said that the Department tries to validate as many names as possible on a petition. For example, if a name appears that is not at the address on the registration form but is only a few houses away or across the street from that address, perhaps that person moved nearby. That name is usually counted.

The Director said that the Department broadened the scope for its review of this particular petition, tried to find ways to include signatures, and was very careful to not exclude voters.

Chairperson Trasviña asked about the affidavit numbers, written beside some signatures, not being valid. Director Arntz said that after review of several of the petitions, his staff discovered that the affidavit numbers were not written by DoE staff and in some cases were incomplete. These numbers were written by persons who circulated the petitions and DoE staff could not interpret the meaning of their numbers.

Chairperson Trasviña proposed that the Committee report to the Commission what it has learned from this meeting. He said he plans to report that the Department has discovered some areas of improvement and has moved to make those corrections, the proponents agree that the number of valid signatures was not sufficient, that given the legal issue about the replacement candidate, it was not the proponents' intent to try the recall again.

Commissioner Safire stated that he had not heard any legislative issues discussed, so far, and that all discussion had been regarding the day-to-day operations of the Department.

*Kevyn Lutton* said that the state law that invalidated 449 signatures because the information was not exactly the same as the voter's registration card should be changed.

Chairperson Trasviña said that the second legislative issue was the question of who fills the vacancy that occurs because of a recall. Mr. Trasviña asked the Committee for a MOTION on either of these issues. There was NONE.

Mr. Trasviña said that he felt there should be consideration by the Commission on these topics and that he will, as a member of the Commission, not this Committee's Chair, bring up the subject of recall replacement to the Commission as a legislative change.

Commissioner Chung said that she wants to do more research on the recall replacement issue before she makes a decision.

5. **Discussion and possible action to approve the Voter Outreach and Participation Committee minutes for July 20, 2004.**  
Commissioner Safire MOVED and Commissioner Chung SECONDED approval of the minutes. MOTION CARRIED.

6. **PUBLIC COMMENT** - *Willie Ratcliff* said he was disappointed and that "we get nothing." *Ulysses Montgomery* said that people have the right to remove an official and replace that person with someone of their choosing. *Kevyn Lutton* said that instead of making voting more accessible, the rules make it more difficult. She said all the rules were basically a literacy test. *David Pilpel* said that the "City family" needs to address the concerns of the people in the Bayview District, and that he has discovered a number of errors and inconsistencies in the voter file.

ADJOURNMENT at 7:00 pm





